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U.S. APPLICATION NUMBER NO. FIRST NAMED APPLICANT ATTY, DOCKET NO. 10/593,910 Steven A. Boyd AV 34

1473 **ROPES & GRAY LLP** PATENT DOCKETING 39/361 1211 AVENUE OF THE AMERICAS NEW YORK, NY 10036-8704

INTERNATIONAL APPLICATION NO. PCT/US05/09970 I.A. FILING DATE PRIORITY DATE 03/23/2005 03/24/2004

> **CONFIRMATION NO. 6041 371 FORMALITIES LETTER**



Date Mailed: 10/14/2008

NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated Office (37 CFR 1.494):

- Indication of Small Entity Status
- Priority Document
- Copy of the International Application filed on 09/22/2006
- Copy of the International Search Report filed on 09/22/2006
- Preliminary Amendments filed on 09/22/2006
- Information Disclosure Statements filed on 08/15/2008
- Oath or Declaration filed on 06/10/2008
- U.S. Basic National Fees filed on 09/22/2006
- Priority Documents filed on 09/22/2006

Applicant's response filed 08/15/2008 is hereby acknowledged. The following requirements set forth in the NOTIFICATION of MISSING REQUIREMENTS mailed 04/10/2008 have not been completed.

The following items MUST be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - The declaration that was submitted on June 10, 2008, had inventors that are not identified on the international application.

Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web. https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at http://www.uspto.gov/ebc.

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